

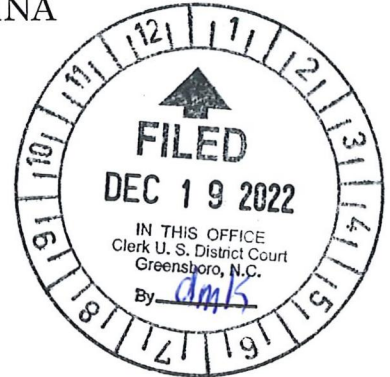
IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

v.

MATTHEW DANIEL LUPER

1:22CR 405-1



The Grand Jury charges:

COUNT ONE

From on or about February 15, 2022, continuing up to and including on or about June 23, 2022, the exact dates to the Grand Jurors unknown, in the Counties of Davidson and Forsyth, in the Middle District of North Carolina, and elsewhere, MATTHEW DANIEL LUPER, and divers other persons, both known and unknown to the Grand Jurors, knowingly and intentionally did unlawfully conspire, combine, confederate, and agree together and with each other to commit offenses against the law of the United States, that is:

To knowingly, intentionally, and unlawfully possess with intent to distribute quantities of methamphetamine, a Schedule II controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code Section 841(a)(1).

All in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(A).

## COUNT TWO

On or about June 23, 2022, in the County of Forsyth, in the Middle District of North Carolina, MATTHEW DANIEL LUPER knowingly and intentionally did unlawfully possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

## COUNT THREE

On or about June 23, 2022, in the County of Forsyth, in the Middle District of North Carolina, MATTHEW DANIEL LUPER knowingly and intentionally did unlawfully possess with intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

## COUNT FOUR

On or about June 23, 2022, in the County of Davidson, in the Middle District of North Carolina, MATTHEW DANIEL LUPER knowingly did possess in and affecting commerce a firearm, that is, a Ruger .380 caliber handgun, having been convicted of a crime punishable by imprisonment for a

term exceeding one year, and with knowledge of that conviction; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

PRIOR CONVICTION PURSUANT TO TITLE 21, UNITED STATES CODE,  
SECTIONS 841 AND 851

Before MATTHEW DANIEL LUPER committed the offenses charged above, MATTHEW DANIEL LUPER had a final conviction for a serious drug felony, as that term is defined in Title 21, United States Code, Section 802(57), namely, Conspiracy to Distribute Cocaine Hydrochloride, in the Middle District of North Carolina, in Docket Number 1:04CR415-1, for which he served a term of imprisonment of more than 12 months and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, and Title 28, United States Code, Section 2461(c).

2. Upon conviction of one or more of the offenses alleged in Counts One, Two, or Three of this Indictment, the defendant, MATTHEW DANIEL LUPER, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853(a), all right, title and interest in and to any property

constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

3. Upon conviction of the offense alleged in Count Four of this Indictment, the defendant, MATTHEW DANIEL LUPER, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all right, title and interest in and to any firearm or ammunition involved in or used in the commission of the offense.

4. The property subject to forfeiture pursuant to paragraphs 2 and 3 above may include, but shall not be limited to, the following:

a. Ruger LCP handgun (S/N 377-12040).

5. If any of the property described above as being subject to forfeiture as a result of any act or omission of the defendant cannot be located upon the exercise of due diligence, has been transferred or sold to or deposited with a third person, has been placed beyond the jurisdiction of the Court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of

any other property of said defendant up to the value of the above forfeitable property.

All in accordance with Title 18, United States Code, Section 924(d), Title 21, United States Code, Section 853, Rule 32.2, Federal Rules of Criminal Procedure, and Title 28, United States Code, Section 2461(c).

DATED: December 19, 2022

SANDRA J. HAIRSTON  
United States Attorney

  
BY: LINDSEY A. FREEMAN  
Assistant United States Attorney

A TRUE BILL



FOREPERSON